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January 16, 2014

Via e-filing

Honorable Cecelia G. Morris
Chief Judge, US Bankruptcy Court
Southern District of New York
355 Main Street
Poughkeepsie, NY 12601

Re: *In re Jazz Hostels, Inc.*
Case No. 13-36556-cgm

Dear Judge Morris:

We are the attorneys for 201 West 87th Street Limited Partnership ("201 LP"), the largest creditor of Debtor Jazz Hostels, Inc. By order dated and entered on November 4, 2013, Your Honor granted the application of 201 LP for a 2004 examination of Debtor and Fit Hostels, Inc. ("Fit") (the "2004 Order", Docket No. 10). Thereafter, on behalf of 201 LP, and consistent with the substance and timing of the 2004 Order, my firm timely served document demands on Debtor and Fit, a subpoena upon Fit and a Notice of Rule 2004 Examination upon Debtor. Copies of these discovery documents, together with certificates of service upon all parties, were filed under Docket Nos. 11-14.

By letter dated November 25, 2013, Erica Feynman Aisner, counsel for Debtor, requested an extension until January 14, 2014 for Debtor to produce documents. She also informed me that Moshe Ziv, President of the Debtor, would be out of the country on December 19, the date set for in the 2004 Order and in our notice. She therefore requested that the deposition be rescheduled for a date between January 21 and January 24, 2014. A copy of Ms. Aisner's request is attached as Exhibit A to this letter.

In a subsequent conversation with Ms. Aisner, she also informed me that she had been in contact with representatives of Fit and that they requested a similar accommodation. Insofar as Ms. Aisner promised compliance with the discovery demand and her client was unavailable on the date scheduled in the 2004 Order, I agreed to the adjournments requested by Debtor and Fit.

Therefore, I was surprised to receive notice of a final decree dated January 9, 2014 closing the case (the "Final Decree"). Insofar as Debtor and Fit have yet to comply with the 2004 Order, produce documents, and appear for examination, such closure is premature. Accordingly, we

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respectfully request that the Final Decree be vacated *nunc pro tunc*, Debtor and Fit be directed to comply with the 2004 Order and that 2004 examinations proceed.

I telephoned Ms. Aisner on two occasions to ascertain whether she would agree to the relief requested but have been unable to reach her. Accordingly, I do not know her position with respect to this request.

If the Final Decree cannot be vacated without a formal motion, please let us know immediately so that a timely motion can be made to preserve the rights of 201 LP and to enforce the 2004 Order.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'CLR', with a stylized flourish extending from the end.

Charles L. Rosenzweig

cc: All counsel (via efilings and email)

EXHIBIT A

**DELBELLO DONNELLAN WEINGARTEN
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November 25, 2013

Via First Class Mail &

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White Plains, New York 10601
Attn.: Charles L. Rosenzweig, Esq.

In re: **Jazz Hostels, Inc., Chapter 7 Debtor**
S.D.N.Y. Case No. 13-36556

Dear Mr. Rosenzweig,

Please be advised that due to the voluminous document demand served upon my client and its limited resources given that it has no employees, funds or operations, additional time will be needed to respond. We therefore request an extension of time to produce documents until January 14, 2014. In addition, Moshe Ziv will not be in the country on December 19, 2013 for the noticed deposition and will be traveling much of the following weeks thereafter. Accordingly we would like to reschedule the deposition for January 21, 22, 23 or 24, 2014.

Thank you in advance for your courtesies and cooperation in this matter. I look forward to hearing from you.

Very truly yours,



Erica Feynman Aisner *EA*

EFA/bt

cc: Moshe Ziv